

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JOHN J. WILSON,

Plaintiff,

v.

No. CIV-13-0921 JCH/LAM

AHEPA MANAGEMENT CORPORATION,

Defendant.

**ORDER GRANTING DEFENDANT'S MOTION TO QUASH ORDER  
REGARDING COMPLIANCE WITH SUBPOENA**

THIS MATTER is before the Court on Defendant's *Withdrawal of Defendant's Motion for Order to Show Cause* (Doc. 53), filed June 10, 2014. Defendant states that it is withdrawing its motion for an order to show cause [Doc. 51] because the University of New Mexico Hospital has provided the requested records, and Defendant asks the Court to vacate its order regarding that motion [Doc. 52].<sup>1</sup> Because the Court granted Defendant's motion for an order to show cause [Doc. 51], Defendant cannot withdraw the motion. Therefore, the Court construes Defendant's current request [Doc. 53] as a motion for the Court to quash its *Order Granting Defendant's Motion To Compel Compliance With Subpoena* (Doc. 52). Having considered the motion, and noting that the motion states that both Plaintiff and counsel for the University of New Mexico Hospital concur in the motion, the Court **FINDS** that the motion shall be **GRANTED**.

**IT IS THEREFORE ORDERED** that Defendant's *Withdrawal of Defendant's Motion for Order to Show Cause* (Doc. 53), which the Court construes as a motion for the Court to quash

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<sup>1</sup> While Defendant asks the Court to withdraw its "Order to Show Cause," the Court did not enter an order to show cause and, instead, construed Defendant's motion for an order to show cause (Doc. 51) as a motion for an order to compel the University of New Mexico Hospital to comply with a *subpoena duces tecum*, and granted that motion. See [Doc. 52].

its *Order Granting Defendant's Motion To Compel Compliance With Subpoena* (Doc. 52), is **GRANTED**, and the Court's *Order Granting Defendant's Motion To Compel Compliance With Subpoena* (Doc. 52) is hereby **QUASHED**.

**IT IS SO ORDERED.**

  
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**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**